



2.1 (f) "Designated offense" includes:

2.2 (1) for weapons used: any violation of this chapter, chapter 152, or chapter 624;

2.3 (2) for driver's license or identification card transactions: any violation of section  
2.4 171.22; and

2.5 (3) for all other purposes: a felony violation of, or a felony-level attempt or  
2.6 conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21;  
2.7 609.221; 609.222; 609.223; 609.2231; 609.24; 609.245; 609.25; 609.255; 609.282;  
2.8 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision 1,  
2.9 clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345,  
2.10 subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466;  
2.11 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;  
2.12 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;  
2.13 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88;  
2.14 609.89; 609.893; 609.895; 609.897; 617.246; 617.247; or a gross misdemeanor or felony  
2.15 violation of section 609.891 or 624.7181; or any violation of section 609.324.

2.16 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

2.17 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to crimes  
2.18 committed on or after that date.

2.19 Sec. 2. **[609.897] ORGANIZED RETAIL THEFT.**

2.20 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms  
2.21 have the meanings given them.

2.22 (b) "Retail establishment" means a place of business open to the general public  
2.23 for the sale of goods or services.

2.24 (c) "Retail property" means any new article, product, commodity, item, or  
2.25 component displayed, held, stored, or offered for sale in a retail establishment or intended  
2.26 to be sold in commerce.

2.27 (d) "Value" has the meaning given in section 609.52, subdivision 1, clause (3),  
2.28 and includes all applicable taxes.

2.29 **Subd. 2. Crime.** A person is guilty of organized retail theft if the person:

2.30 (1) conspires with or otherwise agrees with another person to participate in conduct  
2.31 constituting theft, as defined in section 609.52, subdivision 2, of retail property having a  
2.32 total value of more than \$1,000 from a retail establishment with intent to resell or reenter  
2.33 the retail property in commerce for consideration; or

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3.1 (2) receives, possesses, transfers, buys, or conceals retail property having a total  
3.2 value of more than \$1,000 knowing or having reason to know that the property was stolen  
3.3 and with intent to resell or reenter the retail property in commerce for consideration.

3.4 Subd. 3. **Penalties.** (a) A person convicted of violating subdivision 2 may be  
3.5 sentenced to imprisonment for not more than ten years or to payment of a fine of not  
3.6 more than \$20,000, or both.

3.7 (b) Any person convicted of violating subdivision 2 a second or subsequent time  
3.8 within a period of four years may be sentenced to imprisonment for not more than 20 years  
3.9 or to payment of a fine of not more than \$100,000, or both.

3.10 Subd. 4. **Aggregation.** In any prosecution under subdivision 2, the value of the  
3.11 retail property stolen within any six-month period may be aggregated and the defendant  
3.12 charged accordingly; provided that when two or more offenses are committed in two  
3.13 or more counties, the defendant may be prosecuted in any county in which one of the  
3.14 offenses was committed for all of the offenses aggregated under this subdivision.

3.15 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to crimes  
3.16 committed on or after that date.

3.17 Sec. 3. Minnesota Statutes 2010, section 609.902, subdivision 4, is amended to read:

3.18 Subd. 4. **Criminal act.** "Criminal act" means conduct constituting, or a conspiracy  
3.19 or attempt to commit, a felony violation of chapter 152, or a felony violation of section  
3.20 297D.09; 299F.79; 299F.80; 299F.82; 609.185; 609.19; 609.195; 609.20; 609.205;  
3.21 609.221; 609.222; 609.223; 609.2231; 609.228; 609.235; 609.245; 609.25; 609.27;  
3.22 609.322; 609.342; 609.343; 609.344; 609.345; 609.42; 609.48; 609.485; 609.495;  
3.23 609.496; 609.497; 609.498; 609.52, subdivision 2, if the offense is punishable under  
3.24 subdivision 3, clause (3)(b) or clause 3(d)(v) or (vi); section 609.52, subdivision 2,  
3.25 clause (1) or (4); 609.527, if the crime is punishable under subdivision 3, clause (4);  
3.26 609.528, if the crime is punishable under subdivision 3, clause (4); 609.53; 609.561;  
3.27 609.562; 609.582, subdivision 1 or 2; 609.668, subdivision 6, paragraph (a); 609.67;  
3.28 609.687; 609.713; 609.86; 609.894, subdivision 3 or 4; 609.895; 624.713; 624.7191; or  
3.29 626A.02, subdivision 1, if the offense is punishable under section 626A.02, subdivision  
3.30 4, paragraph (a). "Criminal act" also includes conduct constituting, or a conspiracy or  
3.31 attempt to commit, a felony violation of section 609.52, subdivision 2, clause (3), (4),  
3.32 (15), or (16), if the violation involves an insurance company as defined in section 60A.02,  
3.33 subdivision 4, a nonprofit health service plan corporation regulated under chapter 62C,  
3.34 a health maintenance organization regulated under chapter 62D, or a fraternal benefit  
3.35 society regulated under chapter 64B.

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- 4.1 **EFFECTIVE DATE.** This section is effective August 1, 2011, and applies to crimes
- 4.2 committed on or after that date.